

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,  
Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 3, Rio Cebolla

Subfile No. CHCB 005-0002

---

**REQUEST FOR SCHEDULING CONFERENCE**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and requests the Court to hold a scheduling conference under Rule 16 of the Federal Rules of Civil Procedure for the defendant(s) and associated sub-files(s) listed below in Section 3 of the Rio Chama Stream System, Rio Cebolla, to discuss scheduling and entry of a pre-trial order.

The names and addresses of all partie(s) to whom notice of the conference should be given, and who should be required to attend, either in person by counsel, are as follows:

CHCB-005-0002  
Estate of Julian Serrano, Deceased  
Flavio Gurule  
53 Bouquet Ln  
Santa Fe, NM 87506

On June 26, 2009, counsel for Flavio Gurule, Brian Egolf, filed a Unopposed Motion to Set Aside Default Judgment. The State assumes this Motion will be granted and requests that a scheduling conference be set as soon as possible so that all parties can visit the lands in question this

summer. If possible, this case may be set on a parallel track as is proposed in the case involving Charlie Chacon, et al.

Counsel for the State will be available the week beginning July 13, 2009.

Respectfully submitted,

/s/ Gabriel Wade  
GABRIEL WADE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
Phone: (505) 827-7844  
Fax: (505) 827-3887

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 1st day of July, 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served vial electronic mail, and served the following non-CM-ECF participants via first class mail, post prepaid addressed as follows:

Brian Egolf, Esq.  
*Counsel to Flavio Gurule*  
128 Grant Avenue  
Suite 301  
Santa Fe, New Mexico 87501

/s/ Gabriel Wade  
GABRIEL WADE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
Phone: (505) 827-7844  
Fax: (505) 827-3887